

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 36-70 will be pending in the application, with claim 36, 46, 56, and 67 being the independent claims. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Telephonic Interview

Applicants thank the Examiner for the telephonic interview of October 20, 2005. Applicants discussed, and the Examiner agreed, that the Orita reference failed to show that the allowing or denying of an operation occurred regardless of the identity of the user, while the trap layer of the present invention allowed or denied an operation based solely on the operation, and regardless of the user. It was agreed that clarifications to the claims would better distinguish the claimed invention from Orita.

Rejections under 35 U.S.C. § 102

In the Action on pages 2-3, section 3, claims 36-37, 39-43, 46-47, 49-53, 56-57, 59-63 and 66 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,163,147 to Orita (hereinafter "Orita"). Applicants respectfully traverse the rejection.

Applicant's claimed invention sets forth a trap layer that intercepts an attempted file operation access based on the type of operation access being attempted. Enforcement of the operation access privilege allows enabled operations or denies restricted operations. The trap layer's operation does not depend on the user's identity, the invoking application, or validating the user or the user's access privileges, but rather on the operation access privilege settings only.

As amended, claim 36 recites a method of applying an operation access privilege to at least a logical portion of a logical storage medium in communication with a computer, the method comprising the steps of: (a) providing an operation access privilege indicative of at least one of an enabled operation and/or a restricted operation to be performed on at least one logical portion of a logical storage medium; (b) associating said operation access privilege

with at least one logical portion of said logical storage medium; (c) intercepting in a trap layer an attempted operation on said at least one logical portion identified by at least one data identifier, *wherein said intercepting occurs regardless of an identity of a user attempting said attempted operation, and transparently to the user and transparently to a computer application invoking said operation*; and (d) at least one of allowing said attempted operation if matching said enabled operation, *modifying and allowing said modified attempted operation*, and/or denying said attempted operation if matching said restricted operation. Orita fails to teach at least two elements of claim 36.

First, Orita fails to teach wherein intercepting an attempted operation occurs regardless of an identity of a user, and transparently to the user and transparently to a computer application invoking said operation. Instead, Orita requires that a user successfully log into the computer system before file access is allowed. See Orita, col. 3, lines 10-32. Further, Orita does not specifically teach that interception of an attempted operation occurs transparently to the user and transparently to the application invoking the attempted operation. In contrast, the invention as claimed in claim 36 intercepts all attempted operations regardless of the user's identity, and does not require that a user log in. Therefore, Orita fails to teach wherein allowing, modifying or denying an attempted operation occurs regardless of an identity of a user.

Second, Orita fails to teach modifying and allowing a modified attempted operation. Instead, Orita teaches only permitting or preventing a file access operation based on access protection information. See Orita, col. 4, lines 52-55. There is no provision in Orita for modifying a file access request such that it may be allowed. In contrast, the method of claim 36 allows an attempted operation to be modified and then allowed. See, e.g., page 11, lines 23-26. Therefore, Orita fails to teach modifying and allowing a modified attempted operation.

Because Orita fails to teach at least two elements of claim 36, Applicants respectfully request that the rejection be withdrawn and the claim be allowed.

Claims 37 and 39 depend from claim 36 and are allowable as being dependent from an allowable claim.

Claim 46 recites elements similar to claim 36 and is allowable for at least the same reasons as claim 36.

Claims 47 and 49 depend from claim 46 and are allowable as being dependent from an allowable claim.

Claim 56 recites elements similar to claim 36 and is allowable for at least the same reasons as claim 36.

Claims 57, and 59-63 depend from claim 56 and are allowable as being dependent from an allowable claim.

Claim 66 depends from claim 36 and is allowable as being dependent from an allowable claim

Rejections under 35 U.S.C. § 103

In the Action on pages 4-5, section 5, claims 38, 44-45, 54-55, 58, and 64-65 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Orita in light of the features of which Official Notice is taken (hereinafter “the Official Notice features”). Applicants respectfully traverse the rejection.

Claims 38, 44-45, 54-55, 58, and 64-65 depend from allowable claims, as discussed above, and are therefore allowable.

The Examiner concedes at Paragraphs 5(a)(ii) and 5(b)(ii) that Orita fails to teach or suggest all of the elements of the claimed invention. Applicants agree. As discussed above, Orita also fails to teach (1) modifying and allowing a modified attempted operation, and (2) wherein intercepting an attempted operation occurs regardless of an identity of a user. Applicants respectfully note that the Official Notice Features fail to at least teach the elements of these claims noted above with reference to claim 36.

The Official Notice features recited by the Action, alone or in combination, fail to correct the deficiencies of Orita. None of the Official Notice features discussed in the Action include modifying and allowing a modified attempted operation, or intercepting an attempted operation occurring regardless of an identity of a user. The combination of the Official Notice features along with Orita does not yield, teach, or suggest, a system or method according to the claimed invention that intercepts attempted operation access via a trap layer, using file operation access privileges to enable or modify access to allowed files or deny access to restricted operations on files or other logical portions of a logical storage medium based on an attempted operation, regardless of the user's identity. Therefore, claims 38, 44-

45, 54-55, 58, and 64-65 are allowable, and Applicants respectfully request that the rejection be withdrawn.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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